

**REMARKS**

**I. INTRODUCTION**

Claim 1 has been amended. Support for this amendment can be found at least at ¶ [0025] of the published specification. Thus, claims 1-5 and 13 remain pending in the present application. No new matter has been added. In light of the above amendments and the following remarks, Applicants respectfully submit that all presently pending claims are in condition for allowance.

**II. THE DRAWING OBJECTIONS SHOULD BE WITHDRAWN**

Figures 9-12 stand objected to for being new subject matter. In response to the Applicants previously submitted arguments, the Examiner states that:

The test for new matter is not whether the subject matter is generally supported in the original disclosure, but whether the subject matter has specific support in the original disclosure. The Examiner respectfully maintains that the original disclosure only includes a name or brief description of the patterns and does not fully disclose sufficient details of the patterns to only arrive at those very specific patterns submitted in the proposed drawings.

See, 3/20/09 Office Action, p. 7

Applicants respectfully disagree with the characterization of the test to be applied by the Examiner and direct the Examiner's attention to MPEP §608.01(I), which states that the "disclosure in the claim must be sufficiently specific and detailed to support the necessary amendment of the drawing and description." The question is not whether the patterns submitted in the new drawings 9-12 are the only patterns that one could arrive at based on the description in the original claims and specification, but whether the disclosure of the originally filed claims and specification support the new drawings. There is no doubt that Fig. 9 shows a spiral shaped pattern of ridges, claim 10 shows a star shaped pattern of ridges, Fig. 11 shows a flower shaped pattern of ridges and Fig. 12 shows pattern of dimples as on a golf ball as described in the original claims and

specification. (See Published Specification, ¶ [0026] and claims 4 and 5). Whether one could arrive at a different spiral, flower, star, etc. shape is irrelevant to the question of whether there is support for the shapes in the Figs. 9-12. As stated above, there is no doubt that the shapes illustrated in the Figs. 9-12 are examples of those described in the original specification and claims that could be arrived at by one of ordinary skill. Thus, the withdrawal of this objection is respectfully requested.

The drawings stand objected to under 37 C.F.R. §1.83(a) for failing to show every feature of the claimed invention. The Examiner states that the features of claims 4 and 5 are not shown in the drawings. As previously stated, these features are shown in Figs. 9-12 and these drawings should be entered. Accordingly, the withdrawal of this objection is respectfully requested.

### **III. THE SPECIFICATION OBJECTION SHOULD BE WITHDRAWN**

The specification stands objected to under 35 U.S.C. §132(a) for new matter added by amendment on 12/17/07. Specifically, the Examiner directs this objection at the paragraphs added after page 2, line 32 of the specification. However, these paragraphs are merely short descriptions of Figs. 9-12. As stated earlier, in view of MPEP §608.01(I), claim 4 contains sufficient disclosure to support Figs. 9-12 and, accordingly, the paragraphs added after page 2, line 32 of the specification. Thus, the withdrawal of this objection is respectfully requested.

### **IV. THE 35 U.S.C. § 102(e) REJECTIONS SHOULD BE WITHDRAWN**

Claims 1-3 and 13 stand rejected under 35 U.S.C. §102(e) for being anticipated by Visman et al. (U.S. Published App. No. 2003/0019107).

Claim 1 has been amended and now recites, “[s]having apparatus having a skin contact surface accommodating at least one cutting unit that comprises an external cutting member, a matching internal cutting member, and a device for providing a shaving aid

additive to said skin contact surface, characterized by shaving aid additive retaining means provided on at least part of said skin contact surface, wherein the shaving aid additive is one of a liquid, a gel, a foam, a cream, and a water-soluble hard material, *wherein the shaving aid additive retaining means comprises a plurality of grooves configured to prevent the shaving aid additive from entering apertures in the external cutting member.*"

Visman discloses a shaving apparatus with an improved coupling between a coupling member and a pivotable internal cutting member "to the extent that the coupling is free from play during the drive." (See Visman, ¶ [0003]). The Examiner refers to Fig. 2 of Visman to meet the claimed shaving aid additive retaining means. Specifically, the Examiner asserts that "the disc-shaped component located below numerals 11 and 12, which is unnumbered, meets the limitation of shaving aid additive retaining means, particularly since the disc-shaped component of Visman has substantially the same disc-shaped structure as the corresponding structure of the present application and has at least one ridge." (See 3/20/09 Office Action, p. 8, ll.12-15). As admitted by the Examiner, the Visman disclosure contains no reference to the component (hereinafter "component A") the Examiner refers to in Fig. 2. Furthermore, Visman never described what this component is or what its purpose is. So, the Examiner has based this rejection solely on the Examiner's interpretation of Fig. 2 of Visman. Therefore, in order to expedite prosecution, claim 1 has been amended to further clarify the claimed invention and now recites "*the shaving aid additive retaining means comprises a plurality of grooves.*" Visman fails to disclose or suggest that component A comprises a plurality of grooves. In fact, Fig. 2 clearly shows only one recess in the central portion of component A. Therefore, it is respectfully submitted that claim 1 and its dependent claims 2-3 and 13 are allowable over Visman.

Claims 1-5 and 13 stand rejected under 35 U.S.C. §102(e) for being anticipated by Geertsma et al. (U.S. Published App. No. 2002/0083591).

As presented above, claim 1 has been amended to include “*the shaving aid additive retaining means comprises a plurality of grooves configured to prevent the shaving aid additive from entering apertures in the external cutting member.*” Geertsma discloses a shaving apparatus that comprises a skin contacting surface with a plurality of ridges that reduce the frictional resistance between the cutting member and the skin. The Examiner refers to skin support surface (9) and ridges (10) of Geertsma to meet the claimed shaving aid additive retaining means. However, it is clear from Fig. 2 that spaces between ridges 10 lead directly to hair-trapping apertures 5. So, if shaving aid additive were applied to the skin of the user, the additive would be directed into the hair-trapping apertures 5. Accordingly, Geertsma fails to disclose or suggest that ridges 10 are “*configured to prevent the shaving aid additive from entering apertures in the external cutting member,*” as recited in claim 1. Therefore, Applicants respectfully submit that claim 1 and its dependent claims 2-5 and 13 are allowable over Geertsma.

CONCLUSION

It is therefore respectfully submitted that all of the presently pending claims are allowable. All issues raised by the Examiner having been addressed, an early and favorable action on the merits is earnestly solicited.

Respectfully submitted,

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By:   
Michael J. Marcin (Reg. No. 48,198)

Fay Kaplun & Marcin, LLP  
150 Broadway, Suite 702  
New York, New York 10038  
Tel.: (212) 619-6000  
Fax: (212) 619-0276